

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Amendment of Sections 74.1203(a)(3) and	)	RM No. 11786
74.1204(f) of the Commission's Rules to	)	
Protect Local Radio Service Provided by	)	
Fill-In Area FM Translators	)	

To: The Commission

**OPPOSITION OF CLEAR COMMUNICATIONS, INC.  
TO PETITION FOR RULE MAKING**

Clear Communications, Inc. ("Clear"), the licensee of full power radio station WVLT(FM), Vineland, New Jersey, hereby submits its Comments in opposition to the Petition for Rule Making ("Petition") filed by Aztec Capital Partners, Inc. ("Aztec") that proposes modification of Part 74 of the Commission's rules to reduce the protection accorded full service FM stations and other broadcast stations from interference caused by a fill-in FM translator station. In support thereof, the following is shown:

**Aztec's End Run**

At the time of the filing of the Petition, there was pending before the Commission an application submitted by Aztec for further minor modification of the facilities of FM translator station W221DS, Philadelphia, Pennsylvania (File No. BMPFT-20160728AAW).<sup>1</sup> In a section of its Petition, titled "Petition's Own Proceeding," Aztec states: "In support of this Petition for

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<sup>1</sup> Subsequent to the filing of the Petition, Aztec filed an application to modify the facilities of W221DS by changing the frequency to Channel 260D (92.9 MHz).

Rule Making, Petitioner points to its own proceeding now before the Audio Division in which a distant FM station is seeking to forestall local service from tens of thousands of radio listeners to its fill-in. ” It is apparent that the Petition is a backdoor attempt by Aztec to change the FCC’s rules in such a way that the names of the 217 listener interference complaints filed by Clear would not be entitled to consideration.

It is a long-held principle of administrative law that a rulemaking proceeding should not be used to change the result of a pending adjudicatory proceeding – that is an apt description of the apparent objective of the Petition.

### **Flaws in Aztec’s Petition**

As shown below, the Petition is flawed by the use of misleading arguments and misinformation in support of changing the FCC’s rules that would diminish the rights of full power FM stations.

**Aztec:** “Today, however, in a full-circle perversion of the FCC’s 1990 intentions, distant full-service stations are increasingly fostering the filing of complaints far outside their communities of license and service areas against FM translators that are enabling the reception of local AM radio stations and local diverse HD sub-channels. The result is that distant out-of-market stations are driving FM translators carrying local radio stations off the air using the 1990 rules.”

**Response:** This statement sets forth a premise with no support and no definition. What is meant by “distant full-service stations”? Why are distant translators not included? What is the definition of “far outside their communities and service areas?”

The Petition ignores the historical nature of FM radio listenership, namely, that listeners want to listen to their favorite program content wherever they are to the fullest extent possible.

Broadcasters such as Clear have long expected their signals to be received beyond their primary protected contours. Aztec, in effect, is asking the FCC to take away the established listening area of every full service FM station, translator and booster if interference from a new proposed translator would occur outside the primary service contour of the station(s) being interfered with.

**Aztec:** “The changes in Section 74.1203(a)(3) and 74.1204(f) are requested to protect local radio listeners in the primary station’s community of license and service area against a loss of service precipitated by an out-of-market radio station seeking to claim distant radio listeners far outside its service area.”

**Response:** The fact that the translator 60 dBu in many cases will be only a mere fraction of the area of a Class B or Class A AM station’s 2 mV/m contour or a Class B or Class C FM station’s 70 dBu contour shows this proposal to be capable of adversely impacting significant areas of existing listenership.

Aztec’s proposed rule changes would strip away the ability of stations to protect their existing listenership by depriving them of the right to oppose or even comment on the resulting modification of a station’s license. In effect, the proposed rule changes make fill-in translator applicants primary and all other stations secondary.

Nothing in the Petition is an acknowledgement that most new translator applicants hope to secure listeners well outside their predicted 60 dBu service contour to perhaps the 50 dBu or even 40 dBu predicted service contours. By proposing that a new fill-in translator come on the air in areas where stations have existing listeners by definition means that the existing facility will cause interference to the proposed fill-in translator, potentially limiting the size of the proposed new fill-in translator’s listenable area to even less than the 60 dBu contour. The total

failure of Aztec to consider this very practical real world aspect of its proposal is of significant concern.

**Aztec:** Aztec claims that commencement of operations of its Channel 221 translator station has been forestalled by the licensee of an FM Class A station “50 miles away.”

**Response:** The transmitter site of WVLT site is approximately 31 miles (50 kilometers) from the city of Philadelphia. Pointing out the correct distance from Philadelphia, however, is not meant to suggest that distance should be a factor in interference cases. Terrain and accurate depictions of signal level using supplemental methods such as Longley-Rice help predict a station’s actual listening area.

**Aztec:** Clear “...is attempting to extend its signal into the Philadelphia metro area claiming listeners far outside its community of license and service area.”

**Response:** This statement continues to use non-specific, undefined language and phrases which are both misleading and incorrect.

The following is an excerpt from the Comments filed in this proceeding on May 8, 2017, by Al Sergi, a former Clear employee who worked at WVLT and sister station WMIZ for 22 years from the late 1970s until early in 1998.

First I want to say that Aztec Capital claims that they are the only Latino Owned Station in the Philadelphia area, that's nice. However, Clear Communications has been programming their WMIZ 1270 AM Vineland, NJ with Latino programming from back in the early 1970's and with the exception of a couple of years, WMIZ-AM has served the Latino listeners across Southern NJ, so Clear Communications has a great track record of serving the Latino population in the region. If anyone deserves an FM translator, it's WMIZ-AM. WVLT 92.1 FM Vineland, NJ is only a short drive from Philadelphia. I'm not sure where Aztec Capital received its information that WVLT is some 50 miles away from Philadelphia, but that's incorrect. The WVLT-FM Class A tower is 32 air miles from Center City Philadelphia, hardly a distant station. Considering all the tall buildings and interference that can be given to a signal, I can pick up WVLT rather well in downtown Philadelphia in my car. If I can get the signal at ground level, I know many say it comes in much better in the high rise building apartments in

Philadelphia. I know for a fact that WVLT-FM generates revenue from Philadelphia with its daily afternoon show that originates live from Philadelphia with the legendary DJ, Jerry Blavat. This show also has a slew of advertisers from the city and suburbs of Philadelphia. The Jerry Blavat show has been on WVLT daily for about 20 years that I can remember. If the show was not getting results for its sponsors, it would have ended years ago. So taking away the present signal WVLT enjoys in Philadelphia, although not as strong as local stations downtown, it is still a product that listeners enjoy and sponsors support. WVLT-FM programs live shows ALL DAY, yes, unlike just about everything else on radio, WVLT still has LIVE DJ's on the air, probably why people go out of their way to listen and yes the letters of support for the station are very real. They are well worth making the effort to tune in as I do every time I get near NJ.

The Comments of Mr. Sergi, an experienced broadcaster in West Virginia who regularly travels through the WVLT listening area, shows how WVLT has served the Philadelphia market for many years. There has been no extension of the WVLT signal into the Philadelphia metro - it has simply been there for many years and, as Mr. Sergi points out, the station enjoys Philadelphia-based advertisers, programmers and listeners.

**Aztec:** The filings submitted to the FCC by Clear “allege interference to at most several dozen purported distant listeners in the Philadelphia area.”

**Response:** A simple check of FCC CDBS records under the translator call sign associated with Aztec’s translator application for WHAT, now a granted CP with call sign W260CZ (formerly W221DS) reveals that Clear’s Reply To Opposition to Petition for Reconsideration, dated March 22, 2016, included 217 “listener declarations” from WVLT listeners stating that they are regular listeners to WVLT inside the 60 dBu contour proposed for W221DS.

**Aztec:** Aztec states: “Now, as the FCC’s Sections 74.1203(a)(3) and 74.1204(f) procedures stand, a radio station owner or manager is encouraged to troll for complaining

individuals to enable that owner or manager to extend his or her station's signal out to the 'owner's contour' – that last gasp of his or her radio signal coming through the FM hash. Favorable FCC action on this Petition for Rule Making will eliminate that incentive.”

**Response:** Clear and other licensees of FM stations that provide service to listeners who are located outside their primary contour and that have now been faced with the need to defend that service area from interference from a proposed fill-in translator know that the above statement is inaccurate. This is not to say that cases like this may have occurred but if that is true, it does not justify wholesale changes to the rules that could destroy the existing service areas of countless FM stations across the country.

A prime example is Clear's May 2, 2016 Motion for Leave to File Supplement and Supplement, a copy of which is attached, which includes audio recordings of the WVLT signal around the perimeter of the proposed WHAT translator's W221DS 60 dBu contour. These recordings were made on both a portable radio and a stock auto radio, some fixed and many while moving. Each and every recording demonstrated that the WVLT signal was loud and clean throughout. These recordings are still on YouTube as identified in the document. This material contradicts Aztec's contention that existing broadcasters are using “last gasp” techniques to save areas with a signal obscured by hash.

WHAT's W260CZ translator CP is a case in point. There are 704,864 persons in the predicted 60 dBu but only 558,933 persons are inside the WHAT city of license, Philadelphia, Pennsylvania, which has a 2010 census population of 1,526,006 persons.

**Aztec:** “WHAT is one of only two radio stations providing Spanish language programming to the fast growing Philadelphia market Hispanic population. WHAT is also the

only Latino owned radio station in the Philadelphia market, a market with scarce available FM spectrum space. Without a viable FM translator, WHAT's own viability is in jeopardy."

**Response:** Aztec fails to mention that WMIZ(AM), licensed to Clear, has a Spanish format. However, a station's program permit is a non-relevant consideration in an allocations proceeding. The Commission has long held that program formats are by their nature transitory, and has refused to consider them in designing and implementing the agency's allocations system. See, e.g., *Mel-Lin, Inc.*, 22 FCC 2d 165 (1970) secondary service intended to supplement the service of existing FM stations.

WVLT's viability was threatened by Aztec's Channel 221 translator application and now by W221DG, Exton, Pennsylvania (FCC File No. BLFT-20170106ACP). Operation of W221DS with the facilities proposed by Aztec in BMPFT-20160728AVW would have a devastating economic impact on WVLT. The following excerpt from the Declaration of Carl Hemple, Sr., WVLT's General Manager which was filed on February 26, 2016 as an attachment to Clear's Petition for Reconsideration of the Bureau's grant of an application to change the frequency to Channel 221 (92.1 MHz): (FCC File No. BMPFT-20-16 0129ADD), supports Clear's concern about the viability of WVLT if the proposed rule changes were to be adopted, regarding this channel selection in the greater Philadelphia market:

W221DS's 60 dBu contour covers WVLT's core audience. Loss of listeners in the area proposed to be served by this FM translator would have a devastating impact on WVLT. We are a small non-rated station. Operation of a co-channel Philadelphia translator would drastically reduce our audience and advertising base and deprive our listeners of unique locally-produced programs. The bottom line is that WVLT cannot afford to lose the sponsors who advertise on the station. The survival of WVLT is at stake. The loss of advertisers would force us to lay off station employees. Surely, the FCC should not allow an FM translator station, a secondary service, to wipe out the local programming of a full-service FM station.

**Aztec:** "No change is requested in the secondary service of FM translators..."

**Response:** Contrary to Aztec's assertion above, its proposed rule changes, if adopted, would indeed elevate FM translators, a secondary status exempt from public service obligations, to equal status with full service FM stations, provided that the FM translator is a "fill-in" and no regular listeners are subject to interference within a theoretic "protected service contours." For that reason alone, the Petition should be dismissed.

Respectfully submitted,

**CLEAR COMMUNICATIONS, INC.**

By: \_\_\_\_\_/s/\_\_\_\_\_  
**Charles McCreery**  
**President**

**CLEAR COMMUNICATIONS, INC.**

**P.O. Box 6898**

**Vineland, New Jersey 08362**

**Dated: May 17, 2017**



**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20544**

In re Application of: )  
 )  
**AZTEC CAPITAL PARTNERS, INC.** ) FCC File No. BMPFT-20160129ALD  
**(FORMERLY WYRS BROADCASTING)** ) FCC Facility ID No. 151789  
 )  
Application for a Minor Modification of the )  
Construction Permit of W221DS, Philadelphia, PA )

To: Office of the Secretary  
Attn: Chief, Audio Division, Media Bureau

**MOTION FOR LEAVE TO FILE SUPPLEMENT**

Clear Communications, Inc. ("Clear"), the licensee of FM broadcast station WVLT, Vineland, New Jersey ("WVLT"), by its attorney, respectfully requests leave to file the attached Supplement to its March 22, 2016 "Reply" to the "Opposition to Petition for Reconsideration" filed on March 10, 2016 by Aztec Capital Partners, Inc. ("Aztec"), the permittee of co-channel FM translator station W221DS, Philadelphia, Pennsylvania, which objected to the grant of Clear's February 26, 2016 Petition requesting reconsideration of the grant by the Media Bureau of an application for modification of the facilities of FM translator station W273CM, Philadelphia, Pennsylvania. In support thereof, the following is shown:

Section 1.106(f) of the Commission's rules provides that a "petition for reconsideration and any supplement thereto shall be filed within 30 days from the date of public notice of the final Commission action," unless leave to file is granted pursuant to a separate request." The Commission has held that petitions for reconsideration which rely on facts not previously presented to the Commission may be granted if the agency determines that consideration of the

facts is required in the public interest. See Section 1.106(c)(2). As will be shown below, Clear submits that consideration of the Supplement by the Commission is required in the public interest.

The record in this proceeding shows that there is a 180 degree difference in the positions taken by Clear and Aztec as to whether the proposed 60 dBu contour proposed in the above-referenced modification application will result in interference to co-channel station WVLT in violation of Section 74.1204(f) of the Commission's rules.<sup>1</sup> The Engineering Statement filed with the Petition for Reconsideration shows that the W221DS 60 dBu contour, based on 2010 census data, covers 711,773 persons, all of whom would be subject to co-channel interference. The Petition also included 217 Declarations from individuals who listen to WVLT and either reside in the W221DS 60 dBu contour, work at a location inside the contour or travel through the contour while commuting. In stark contrast, Aztec contends that Clear's Petition "fails to demonstrate under Section 74.1204(f) that the grant of the W221DS construction permit will result in interference to WVLT within the predicted W221DS 60 dBu contour." Aztec Opposition, par. 9.

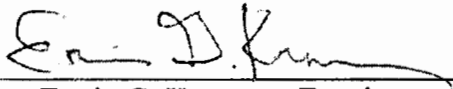
Clear submits that good cause exists for accepting the accompanying Supplement. The Supplement contains information of direct relevance to the major disputed issue in this proceeding concerning compliance with Section 74.1204(f), namely, video and aural proof that WVLT provides a strong and clearly listenable signal across the W221DS 60 dBu contour. This information will assist the Bureau in resolving the conflicting contents of Clear and Aztec and in reaching a speedy and accurate determination concerning matters where time is of the essence.

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<sup>1</sup> Section 74.1204(f) of the Commission's rules provides that an application for an FM translator station will not be accepted for filing if the translator's signal will cause interference to full-service FM station listeners within the translator's 60 dBu contour.

WHEREFOR, the premises considered, Clear Communications, Inc. respectfully requests that the Commission accept the attached Supplement.

CLEAR COMMUNICATIONS, INC.

By:   
Erwin G. Krasnow, Esquire  
Garvey Schubert Barer  
1000 Potomac Street, N.W., Suite 200  
Washington, DC 20007  
(202) 965-7880  
Its Attorney

May 2, 2016

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20544**

In re Application of: )  
 )  
**AZTEC CAPITAL PARTNERS, INC.** ) FCC File No. BMPFT-20160129ALD  
**(FORMERLY WYRS BROADCASTING)** ) FCC Facility ID No. 151789  
 )  
Application for a Minor Modification of the )  
Construction Permit of W221DS, Philadelphia, PA )

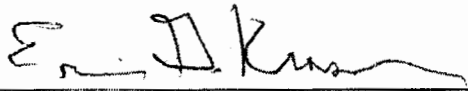
To: Office of the Secretary  
Attn: Chief, Audio Division, Media Bureau

**SUPPLEMENT TO “REPLY TO OPPOSITION TO PETITION FOR  
RECONSIDERATION”**

Clear Communications, Inc. (“Clear”), the licensee of FM broadcast station WVLT, Vineland, New Jersey (“WVLT”), by its attorney, hereby respectfully supplements its March 22, 2016 “Reply” to “Opposition to Petition for Reconsideration” filed on March 10, 2016 by Aztec Capital Partners, Inc. (“Aztec”), the permittee of co-channel FM translator station W221DS, Philadelphia, Pennsylvania, which objected to the grant of Clear’s February 26, 2016 Petition requesting reconsideration of the grant by the Media Bureau of an application for modification of the facilities of FM translator station W273CM. The attached Engineering Statement of Clarence Beverage, WVLT’s consulting engineer, provides video and aural proof that WVLT provides a strong and clearly listenable signal across the 60 dBu contour of W221DS. The Engineering Statement contains links to YouTube containing video and audio links that demonstrate the easily listenable and clear WVLT signal throughout the translator station’s service area.

WHEREFORE, the premises considered, Clear Communications, Inc. respectfully  
Requests that the Bureau grant the Petition for Reconsideration without further delay.

**CLEAR COMMUNICATIONS, INC.**

By:   
Erwin G. Krasnow, Esquire  
Garvey Schubert Barer  
1000 Potomac Street, N.W., Suite 200  
Washington, DC 20007  
(202) 965-7880  
Its Attorney

May 2, 2016

**ENGINEERING STATEMENT IN SUPPORT OF  
MOTION FOR LEAVE TO FILE SUPPLEMENT CONCERNING  
WVLT REGULARLY RECEIVED OFFAIR SIGNAL  
INSIDE THE 60 dBu CONTOUR OF W221DS, PHILADELPHIA, PA  
FCC FILE NO. BMPFT-20160129ALD FCC FACILITY ID NO. 151789**

**Summary**

This engineering statement has been prepared on behalf of **Clear Communications, Inc.** ("Clear"), licensee of FM station WVLT, 92.1 MHz, CH 221A, Vineland, New Jersey. On February 26, 2016, Clear filed a Petition for Reconsideration of the grant of CP W221DS, BAPFT-20160205ADQ. In the intervening time, the Audio Division of the Media Bureau has not acted on Clear's Petition which has left the licensee feeling a sense of great jeopardy as the commencement of operation of W221DS will cause WVLT to lose a massive portion of its audience. Clear believes that there can be no reason for the Bureau's lack of action other than that the Bureau may have concluded that there is no convincing evidence in the record that WVLT serves the area inside the W221DS 60 dBu contour. The sole purpose of this filing is to provide video and aural proof of the fact that WVLT provides a strong and clearly listenable signal across the W221DS 60 dBu contour.

The locations where the readings were taken were chosen for ease of access and identification. Longley-Rice or other predicted signal data for WVLT was not employed in the selection process, as it was desired to document the WVLT over-the-air signal randomly throughout the W221DS 60 dBu. The video/audio clips attached are brief for purposes of minimizing the time burden of viewers while being long enough to demonstrate the clarity of the signal. WVLT was continually listened to on the car radio during travel from one recording location to the next. It was extremely rare that the stereo pilot dropped off and when it did the WVLT signal was always clearly listenable without interference even in the most rigorous of locations as described herein.

**Description of Equipment Used**

The off-the-air signal was recorded from the stock HD Radio installed in a 2014 Mazda CX-5 and also from a handheld Grundig G8 portable digital receiver. Recordings were made on an HTC One M8 smart phone and on a Nikon Coolpix L27 in 720P. The primary presentation mode is the

Mazda receiver and the M8 smart phone with the Grundig video included at a few random locations for illustration purposes. There was no location where the signal could not be clearly heard on both receivers. It is noted that whenever possible, audio was recorded with the vehicle in motion so that there would be no perception that the recording was made at a "sweet spot." All coordinates are in NAD 83 and are for the central point of the recording location.

### **Recording Results**

All recordings were made during the afternoon and evening of Wednesday, April 27<sup>th</sup>. All recordings are stored on YouTube for ease of access. At [www.youtube.com](http://www.youtube.com), search for Clarence Beverage and all of the videos will come up and can be clicked on one at a time or the individual links below can be used below.

Location #1: Route 90 in New Jersey just before the toll plaza to go over the bridge into Philadelphia. N 39-58-35.3 W 75-02-50.1

Two recordings uploaded:

Mazda radio, Video0004

Grundig radio Video0005

Access at: <https://youtu.be/8vL-9nq9RhQ>  
<https://youtu.be/MSBDjAFb6Y4>

Location #2: Route 95 in Philadelphia before exit 25 to The Tioga Marine Terminal and Allegheny and Caster Avenues.

N 39-59-04.0 W 75-05-45.3

One recording uploaded:

Mazda radio, Video0006

Access at: <https://youtu.be/tJbYMR3AKww>

Location #3: Route 95 in Philadelphia before exit 23 to Girard Avenue.

N 39-58-30.0 W 75-07-03.0

One recording uploaded:

Mazda radio, Video0008

Access at: [https://youtu.be/W\\_gP9al07BY](https://youtu.be/W_gP9al07BY)

Location #4: Girard Avenue and 2<sup>nd</sup> Street.

N 39-58-10.4 W 75-08-21.9

One recording uploaded:

Mazda radio, Video00010

Access at: [https://youtu.be/MYE\\_0CSOA34](https://youtu.be/MYE_0CSOA34)

Location #5: Girard Avenue and N. 42<sup>nd</sup> Street.

N 39-58-25.1 W 75-12-34.6

One recording uploaded:

Mazda radio, Video00012

Access at: <https://youtu.be/0lvHwUw9KKs>

Location #6: 7200 Chestnut Street at the Upper Darby Township Municipal Building in Upper Darby Township, PA.

N 39-57-35.2 W 75-15-48.0

Two recordings uploaded:

Mazda radio, Video00013

Access at: [https://youtu.be/0I2ZIRI\\_Mw](https://youtu.be/0I2ZIRI_Mw)

Grundig radio, Video00014

Access at: <https://youtu.be/sqUzkMe4O9A>

Location #7: 234 Owen Avenue, Lansdowne, PA.

N 39-56-46.5 W 75-16-43.2

Two recordings uploaded:

Mazda radio, Video00015

Access at: [https://youtu.be/BT\\_g63nJq-4](https://youtu.be/BT_g63nJq-4)

Grundig radio, Video00016

Access at: <https://youtu.be/OR1o6V-VwtA>



Location #8: Mercy Fitzgerald Hospital, 1500 Lansdowne Avenue, Darby, PA.

N 39-55-41.6 W 75-15-58.7

Two recordings uploaded:

Mazda radio, Video00017

Access at: [https://youtu.be/jCTEk0-d\\_Ws](https://youtu.be/jCTEk0-d_Ws)

Grundig radio, Video00018

Access at: [https://youtu.be/zkzWgfQQ\\_cs](https://youtu.be/zkzWgfQQ_cs)

Location #9: 2437 South 24<sup>th</sup> Street off Passyunk Avenue, Philadelphia, PA.

N 39-55-17.6 W 75-11-14.4

One recording uploaded:

Mazda radio, Video00019

Access at: <https://youtu.be/jzWkbuM9n6c>

Location #10: Traveling East on the Vine Street Expressway in the heart of Philadelphia where road is below ground elevation.

N 39-57-31.3 W 75-10-06.5

One recording uploaded:

Mazda radio, Video00021

Access at: <https://youtu.be/RgDuph29fAc>

### **Recording Locations**

Ten different locations were employed and they are depicted on the attached map, Figure 1, to confirm that each location is inside the W221DS 60 dBu contour. Distance to each recording location from the W221DS site and the WVL T site are tabulated below. It is believed abundantly clear from this data that each of the locations that now receive a fully listenable WVL T signal will no longer be able to do so because of the relative near proximity to the W221DS translator facility the moment that W221DS commences operation.

<u>Recording Location</u>	<u>Distance Kilometers</u>	
	<u>From W221DS</u>	<u>From WVL</u>
Video 4 & 5	10.07	53.17
Video 6	6.63	54.03
Video 8	4.52	53.08
Video 10	2.71	52.64
Video 12	4.87	54.04
Video 13 & 14	8.83	53.74
Video 15 & 16	10.11	52.73
Video 17 & 18	9.40	50.49
Video 19	4.03	47.99
Video 21	1.06	51.76

### Conclusion

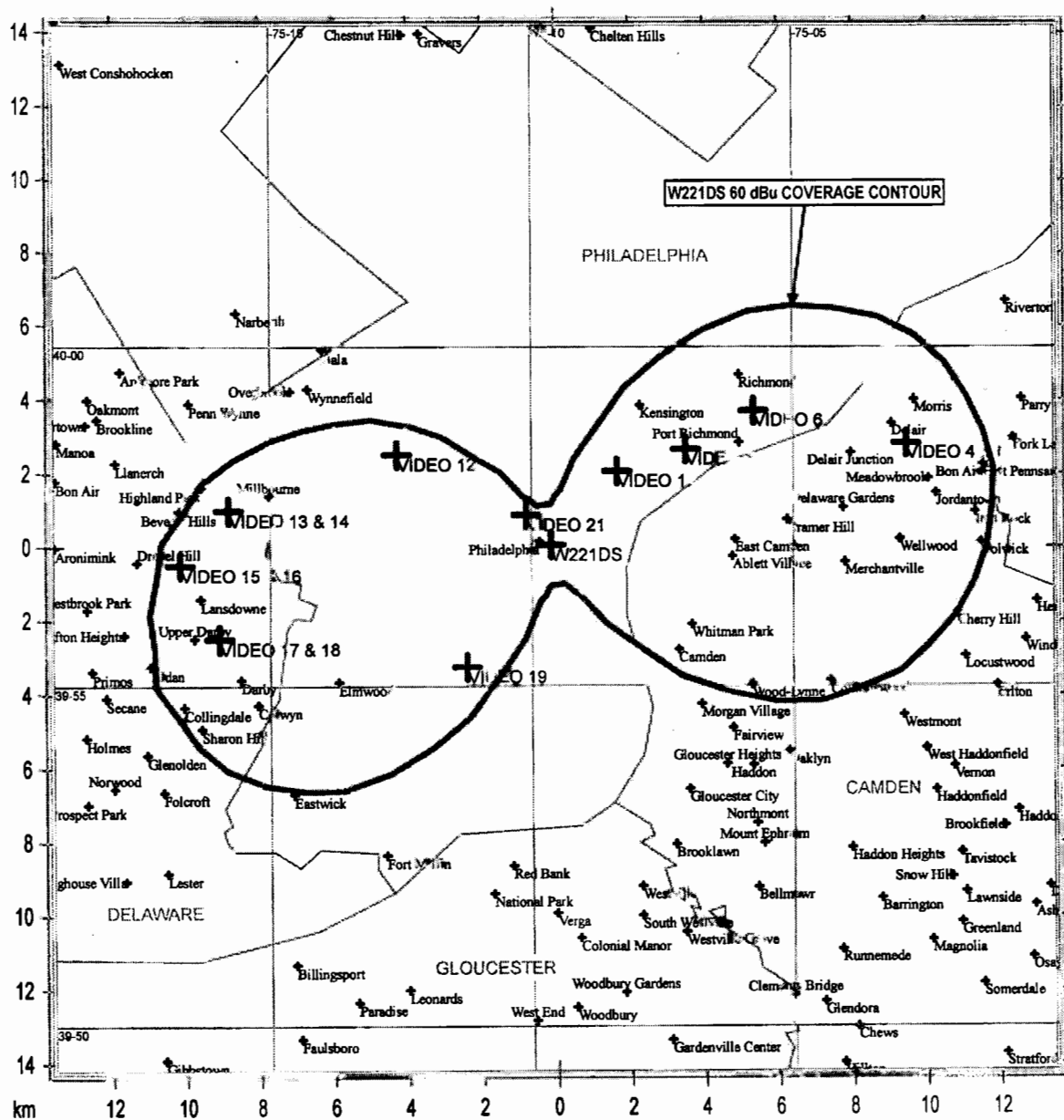
The foregoing was prepared on behalf of **Clear Communications, Inc.** by Clarence M. Beverage of *Communications Technologies, Inc.*, Marlton, New Jersey, whose qualifications are a matter of record with the Federal Communications Commission. The statements herein are true and correct of his own knowledge, except such statements made on information and belief, and as to these statements he believes them to be true and correct.



Clarence M. Beverage  
for Communications Technologies, Inc.  
Marlton, New Jersey

April 29, 2016

## FM TRANSLATOR CONSTRUCTION PERMIT W221DS PHILADELPHIA, PENNSYLVANIA



Communications Technologies, Inc. Marlton, New Jersey

County Borders Lat/Lon Grid

Map Scale: 1:175000 1 cm = 1.75 km V/H Size: 28.37 x 27.11 km

Figure 1

## CERTIFICATE OF SERVICE

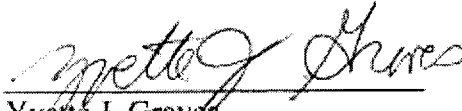
I, Yvette J. Graves, hereby certify that on this 2nd day of May, 2016, that copies of the foregoing "Motion for Leave to File Supplement" and the accompanying "Supplement" have been served by U.S. first-class mail, postage or email upon the following:

Robert Gates\*  
Media Bureau, Audio Division  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
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Counsel for Aztec Capital Partners, Inc.

James Bradshaw, Deputy Chief, Engineer\*  
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Yvette J. Graves

\*Via email only

**CERTIFICATE OF SERVICE**

I, Charles McCreery, hereby certify that on this 16th day of May, 2017, that copies of the foregoing "Opposition of Clear Communications, Inc. to Petition for Rulemaking, is being sent via first-class mail, postage prepaid. To the following:

Kenneth I. Trujillo  
President  
Aztec Capital Partners, Inc.  
1341 Delaware Avenue, Suite 408  
Philadelphia, Pennsylvania 19125

John F. Garziglia, Esq.  
Womble Carlyle Sandridge & Rice LLP  
1200 19<sup>th</sup> Street, NW, Suite 500  
Washington, DC 20036  
*Counsel for Aztec Capital Partners, Inc.*

\_\_\_\_\_/s/\_\_\_\_\_  
Charles McCreery